

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**Case No. 22-CR-163-JFH**

**CHRISTOPHER SCOTT ROYCE**

**Defendant.**

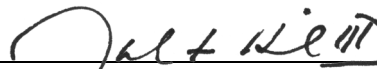
**OPINION AND ORDER**

Before the Court is an unopposed motion to dismiss count three (“Motion”) filed by the United States of America (“Government”). Dkt. No. 50. The Government requests leave to dismiss Count Three of the Second Superseding Indictment [Dkt. No. 36] without prejudice as to Defendant Christopher Scott Royce (“Defendant”). *Id.* Count Three charges Defendant with Possession of Child Pornography in violation of 18 U.S.C. §§ 2252(a)(4)(B) and 2252(b)(2).

Under Federal Rule of Criminal Procedure 48(a), “courts must grant prosecutors leave to dismiss charges unless dismissal is clearly contrary to manifest public interest.” *United States v. Robertson*, 45 F.3d 1423, 1437 n.14 (10<sup>th</sup> Cir. 1995) (quoting *Rinaldi v. United States*, 434 U.S. 22, 30 (1977)). The Court concludes that dismissal of this charge against Defendant is not contrary to the public interest, nor is it for an improper purpose. The Government’s motion to dismiss should be granted.

IT IS THEREFORE ORDERED that the Government’s unopposed motion to dismiss count three [Dkt. No. 50] is GRANTED and Count Three only of the Second Superseding Indictment [Dkt. No. 36] is DISMISSED WITHOUT PREJUDICE as to Defendant Christopher Scott Royce.

Dated this 13th day of January 2023.

  
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JOHN F. HEIL, III  
UNITED STATES DISTRICT JUDGE